

CONTINUING APPLICATION TRANSMITTAL UNDER RULE 1.53(b)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
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Docket No. 100570-00018

Date: May 18, 2001

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a

☒ Continuation ☐ Divisional ☐ Continuation-in-Part

application of prior pending Application No. 09/323,202, filed June 1, 1999,

For (Title): DIVIDED INSULATED CONTAINER

By (Inventors): Melvin S. MOGIL

1. ☒ A Declaration and Power of Attorney is attached. The attached Declaration and Power of Attorney is:
- ☒ a. A copy of the Declaration and Power of Attorney from the parent application. (Used with the same or fewer inventors and (a) a copy of the prior application or (b) a revised, reformatted or edited version of the prior application that does not contain new matter.)
- ☐ b. A new Declaration and Power of Attorney. (Used with the same, fewer or additional inventors and (a) a copy of the prior application, (b) a revised, reformatted or edited version of the prior application that does not contain new matter, or (c) a new specification.)
2. ☒ The filing fee based on entry of the concurrently filed Preliminary Amendment is calculated below:

CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED BELOW

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	29 - 20	= 9
INDEP CLAIMS	1 - 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

* If the difference is less than zero, enter "0".

SMALL ENTITY

RATE	FEE
	\$ 355
x 9 =	\$ 81
x 40 =	\$
+135 =	\$
TOTAL	\$ 436

OR

OR

OR

OR

OR

OR

OTHER THAN A
SMALL ENTITY

RATE	FEE
	\$ 710
x 18	\$
x 80	\$
+270	\$
TOTAL	\$

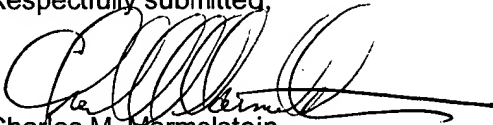
3. ☒ A Check in the amount of \$436.00 to cover the filing fee is attached. The Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 01-2300.
4. ☒ Cancel claims 3, 5-18 of the application before calculating the filing fee. At least one independent claim is retained for filing purposes.
5. ☒ Amend the specification by inserting before the first line the sentence:
--This is a ☒ Continuation ☐ Division ☐ Continuation-in-Part of Application No. 09/323,202 filed June 1, 1999, (which in turn is a Continuation-in-Part Application of Parent Application No. 09/199,287) filed November 25, 1998. The disclosures of the prior applications are hereby incorporated by reference herein in their entirety.--

6. ☒ Formal drawings (Figs. 1-31) are attached.
7. ☒ Priority of foreign application No. 2,254,687 filed November 25, 1998 in Canada is claimed under 35 U.S.C. §119 and/or §365(b).
8. ☒ The certified copy was filed in prior Application No. 09/323,202 on Feb. 22, 2001.
9. ☐ A certified copy of the above foreign application(s) is attached.
10. ☐ Priority of U.S. Provisional Application(s) No. _____ filed _____ is claimed under 35 U.S.C. §119(e).
11. ☐ Amend the specification by inserting before the first line the sentence:
--This nonprovisional application claims the benefit of U.S. Provisional Application(s) No. _____ filed _____.--
12. ☒ The prior application is assigned of record to California Innovations Inc. recorded at Reel 10016, Frame 0842 on June 1, 1999.
13. ☐ This application is filed by fewer than all the inventors named in the prior application (37 C.F.R §1.53(b)(1)). Delete the following inventor(s) named in the prior application:
14. ☒ A Preliminary Amendment is attached.
15. ☐ An Information Disclosure Statement is attached along with Form PTO-1449 and _____ references.
16. ☒ Small entity status:
☐ a. A small entity statement is attached.
☒ b. A small entity statement was filed in the parent application and such status is still proper and desired.
☐ c. Small entity status is no longer claimed.
17. ☒ Other: Request for Approval of Drawing Corrections;
Submission of Formal Drawings;
18. ☒ The Power of Attorney in the application is to Robert B. Murray, Reg. No. 22,980; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Douglas H. Goldhush, Reg. No. 33,125; David T. Nikaido, Reg. No. 22,663; Richard J. Berman, Reg. No. 39,107; Murat Ozgu, Reg. No. 44,275; Robert K. Carpenter, Reg. No. 34,794; Gregory B. Kang, Reg. No. 45,273; Rustan Hill, Reg. No. 37,351; Carl Schaukowitch, Reg. No. 29,211, Hans J. Crosby, Reg. No. 44,634; Brian A. Tollefson, Reg. No. 46,338; David D. Dzara, Reg. No. 47,543; Lynne D. Anderson, Reg. No. 46,412; Rhonda L. Barton, Reg. No. 47,271; and Kevin F. Turner, Reg. No. 43,437.

19. ☒ Address all future communications to:

CUSTOMER No. 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 CONNECTICUT AVENUE, N.W.,
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Respectfully submitted,



Charles M. Marmelstein
Registration No. 25,895

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Melvin S. MOGIL

Serial Number:

Art Unit:

Filed:

Examiner:

For: DIVIDED INSULATED CONTAINER

SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents
Washington, DC 20231

Date: May 18, 2001

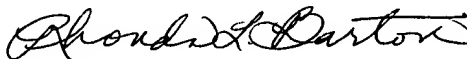
Sir:

Attached hereto are corrected formal drawings for the concurrently-filed continuation application. The attached Figures 1-31, replace corresponding sheets filed with the original application. These Figures incorporate the changes made to the drawings in the original application. It is respectfully submitted that these formal drawings overcome the objections to the originally-filed drawings.

If any fees are required with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC



Rhonda L. Barton
Attorney for Applicant
Reg. No. 47,271

Atty. Docket No. 100570-00018
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Tel: (202) 857-6000
RLB: elp
Enclosures: Thirty (30) Sheets of Formal Drawings

100570-00018